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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,477	02/11/2002	James Lee Combs	2001-0553.01	6312

7590 04/19/2006

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EXAMINER	
PWU, JEFFREY C	

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/074,477	COMBS ET AL.	
	Examiner	Art Unit	
	Jeffrey C. Pwu	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *1/23/06 Amendment*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Title

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification lacks clear written description in the description of how to make and/or use a microprocessorless network adaptor. Applicant only discloses, in the Summary of The Invention, an advantage of a microprocessorless network adaptor, and in the drawing of Fig.1, a network adapter 10, having a network interface 28, an ASIC 18, an adapter firmware 16, support electronics 20, and a USB host 38. Nowhere in the disclosure discloses a microprocessorless adaptor or teaches how to configurate and/or communicate via the ASIC network adaptor card without using a microprocessor. By definition, an ASIC often includes a microprocessor. (See definition of an Application-Specific Integrated Circuit - ASIC)

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Cone et al. (U.S. 2002/0078118).

Cone et al. teaches claims :

1. A computer network, comprising: at least one host computer; at least one peripheral device; and a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device. (¶[0016]; abstract; ¶ [0051] "In conclusion, an embodiment of the invention provides a processorless solution to the transfer of data between the appliance 14 and the network device 16, by using the ASIC 10 to allow direct attachment of the appliance 14 to the network device 16. The ASIC 10 uses state machines and on-chip storage buffers to perform protocol processing and data/packet processing typically performed by CPUs, RAM and flash memory, and embedded internal software. By eliminating or reducing the need for these standard components, the ASIC 10 uses less overhead, is less costly, and has a smaller die size.")

2. The network of claim 1, wherein said network adapter is configured to meet standard requirements for a Universal Serial Bus (USB) host. (¶[0015])

3. The network of claim 2, further comprising a USB hub interconnecting said at least one

peripheral device and said network adapter. (¶[0015])

4. The network of claim 3, wherein said at least one peripheral device comprises a plurality of peripheral devices, said adapter being configured to support said plurality of peripheral devices. (¶[0015], [0017])

5. The network of claim 4, wherein each said peripheral device has a unique network address. (¶[0019], [0047], [0048])

6. The network of claim 5, wherein each said unique network address comprises a unique internet protocol address. (¶[0019])

7. The network of claim 6, further comprising a remotely attached host computer including one of a device driver and a utility, each said unique internet protocol address being assigned by said one of a device driver and a utility. (28)

8. The network of claim 5, wherein said adapter is configured to route data to and from said peripheral devices using said unique network addresses. (¶[0019], [0047], [0048])

9. The network of claim 1, wherein said adapter is configured to manage power on said at least one peripheral device. (¶[0021], [0033], claim 18))

10. The network of claim 1, wherein said adapter is configured to send said at least one peripheral device at least one command to go into a low-power sleep mode until said adapter detects inbound data bound for said at least one peripheral device. (¶[0021], [0033], claim 18))

11. The network of claim 1, wherein said adapter is configured to at least one of send a wake-up command to said at least one peripheral device and verify an active status of said at least one peripheral device before accepting the inbound data. (¶[0021], [0033], claim 18))

12. The network of claim 1, wherein said adapter is configured to perform automatic USB enumeration. (¶[0023]-[0028])

13. The network of claim 12, wherein said enumeration is performed without software. (¶[0023]-[0028])

14. A network adapter comprising: at least one application specific integrated circuit; and support electronics, wherein said adapter is microprocessorless. (¶[0016]; abstract; ¶ [0051] "In conclusion, an embodiment of the invention provides a processorless solution to the transfer of data between the appliance 14 and the network device 16, by using the ASIC 10 to allow direct attachment of the appliance 14 to the network device 16. The ASIC 10 uses state machines and on-chip storage buffers to perform protocol processing and data/packet processing typically performed by CPUs, RAM and flash memory, and embedded internal software. By eliminating

or reducing the need for these standard components, the ASIC 10 uses less overhead, is less costly, and has a smaller die size.")

15. The adapter of claim 14, wherein said adapter is configured to meet standard requirements for a Universal Serial Bus (USB) host. (¶[0015])

16. The adapter of claim 14, wherein said adapter is configured to interconnect at least one peripheral device and at least one host computer. (¶[0015], [0017])

17. The adapter of claim 14, wherein said adapter is configured to: detect inbound data; process the inbound data; and pass the processed data to at least one peripheral device. (¶[0015], [0017])

18. The adapter of claim 14, wherein said application specific integrated circuit is configured to perform automatic USB enumeration. (¶[0023]-[0028])

19. The adapter of claim 18, wherein said enumeration is performed without software. (¶[0023]-[0028])

Response to Arguments

6. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

4/16/06

JEFFREY PWU
PRIMARY EXAMINER